THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

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WRIT PETITION NO.14763 OF 1996

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Between:

1.LAKSHMI agencies, Cherukupallivari Sgtree, Governorpet, Vijayawada, KRISHNA district, REPRESENTED BY ITS PARTNER K.Tagore BABU AND ANOTHER.

…….PETITIONERS

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Vs.

1. THE COMMISSIONER OF POLICE, VIJAYAWADA, KRISHNA DISTRICT AND THREE OTHERS.

……..RESPONDENTS.

Dt.03.11.2005

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O R D E R:

1) Apprehending that the respondents may seize Sumudh Golden Pepup (Non-Alcoholic) Beverage, being marketed by them, on the assumption that it is an alcoholic Beverage, petitioners filed this writ petition seeking a direction to the respondents to permit the second petitioner to sell Sumudh Golden Pepup (Non-Alcoholic Beverage) without seizing the same.

2) Question whether the Beverage being marketed by the petitioners is an alcoholic or non-alcoholic beverage, is a question of fact and can be determined only on the

basis of the analysis report, since prevention of crime is the duty of respondents, no blanket order in the terms sought by the petitioners can be granted. Respondents also should not interfere with the business being carried on by the petitioners, as long as they do not violate the laws in force. If petitioners are not complying with the laws in force, respondents are at liberty to proceed against the petitioners, as per the procedure established by law.

3) With the above observation, the writ petition is disposed of. No costs.

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C.Y.SOMAYAJULU J.,

Dt.03.11.2005

tjs